



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 3d CAVALRY REGIMENT
BUILDING 9001, BATTALION AVE.
FORT HOOD, TEXAS 76544-5060



AFZC-R-RCO

16 November 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy on Prevention of Sexual Assault

1. REFERENCES: AR 600-20, Chapter 8, Army command Policy, 11 February 2009
2. APPLICABILITY: This policy applies to all 3d CR units regardless of locations, as well as their family members, civilian employees and contract personnel.
3. POLICY:
 - a. Sexual assault is a criminal offense that has no place in the 3d CR. It degrades mission readiness by devastating the unit's ability to work effectively as a team. Every Soldier who is aware of a sexual assault, should immediately (within 24 hours) report incidents of sexual assault to the Installation Sexual Assault Hotline, 254-702-4953 (24 hours a day, 7 days a week). It is incompatible with the Army's values and is punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws. Potential first responders are,
 1. Installation or Unit Victim Advocate
 2. Sexual Assault Response Coordinator (SARC)
 3. Unit Chaplains
 4. Health care providers
 - b. Commanders and leaders will use training, education, and awareness to minimize sexual assault; to promote the sensitive handling of victims of sexual assault; to offer victim assistance and counseling; to hold those who commit sexual assault offenses accountable; to provide confidential avenues for reporting and to reinforce a commitment to Army Values.
 - c. Commanders and leaders will treat all victims of sexual assault with dignity, fairness, and respect.
 - d. Commanders and leaders will treat every reported sexual assault incident seriously by following proper guidelines. The information and circumstances of the allegations will be disclosed on a need to know basis only.
 - e. This policy applies on and off post; during duty and non-duty hours; working, living, and recreational environments (including on and off post housing).

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f. Sexual Assault is a crime. Sexual assault is defined as intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. Sexual assault includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to gender or spousal relationship or age of victim. "Consent" shall not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, threat of force, coercion or when the victim is asleep, incapacitated, or unconscious.

g. Restricted reporting allows a Soldier who is a sexual assault victim, on a confidential basis, to disclose the details of his/her assault to specifically identified individuals and receive medical treatment and counseling, without triggering the official investigative process. Soldiers who are sexually assaulted and desire restricted reporting under this policy should report the assault to the Sexual Assault Response Coordinator (SARC), Victim Advocate, Chaplain or a healthcare provider.

h. Unrestricted reporting. Unrestricted reporting allows a Soldier who is sexually assaulted and desires medical treatment, counseling, and an official investigation of his/her allegation to use current reporting channels (e.g., chain of command, law enforcement, or he/she may report the incident to the SARC or the on-call victim advocate). Upon notification of a reported sexual assault, the SARC will immediately notify a Victim Advocate. Additionally, with the victim's consent, the healthcare provider shall conduct a forensic examination, which may include the collection of evidence. Details regarding the incident will be limited to only those personnel who have a legitimate need to know. See AR 600-20 Appendix I for a detailed explanation of restricted and unrestricted reporting.

4. EXPIRATION. This policy remains in effect until superseded or rescinded.

5. BRAVE RIFLES!


JOHN B. RICHARDSON IV
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